

STEPHANIE M. HINDS (CABN 154284)
United States Attorney

KRISTEN CLARKE
Assistant Attorney General
Civil Rights Division
U.S. Department of Justice

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

SCOTT SHAW,

Defendant.

CASE NO.

VIOLATIONS:

18 U.S.C. § 242 – Deprivation of Rights Under Color
of Law (Class A Misdemeanor)

San Jose Venue

CR 22-00105-MAG

I N F O R M A T I O N

The United States Attorney and the Assistant Attorney General charge:

At all times relevant to this Information:

1. Defendant SCOTT SHAW was employed by San Jose State University from 2006 until 2020. While employed by San Jose State University, defendant SCOTT SHAW served as Head Athletic Trainer and Director of Sports Medicine.

2. San Jose State University, a member of the California State University System, was a public university.

3. By virtue of being employed by San Jose State University, defendant SCOTT SHAW was required to act in compliance with the United States Constitution.

4. Victim One, Victim Two, Victim Three, and Victim Four were students on women's athletic teams at San Jose State University.

1 COUNT ONE: (18 U.S.C. § 242 – Deprivation of Rights Under Color of Law)

2 5. Between on or about September 1, 2017, and on or about November 30, 2017, in the
3 Northern District of California, the defendant,

4 SCOTT SHAW

5 while acting under the color of law, and acting without a legitimate purpose, touched Victim One's
6 breast without her consent, thereby willfully depriving Victim One of liberty without due process of law,
7 which includes the right to bodily integrity, a right secured and protected by the Constitution and laws of
8 the United States.

9 All in violation of Title 18, United States Code, Section 242 (Class A Misdemeanor).

10
11 COUNT TWO: (18 U.S.C. § 242 – Deprivation of Rights Under Color of Law)

12 6. On one or more occasions between on or about September 1, 2017, and on or about
13 November 30, 2017, in the Northern District of California, the defendant,

14 SCOTT SHAW

15 while acting under the color of law, and acting without a legitimate purpose, touched Victim Two's
16 breast without her consent, thereby willfully depriving Victim Two of liberty without due process of
17 law, which includes the right to bodily integrity, a right secured and protected by the Constitution and
18 laws of the United States.

19 All in violation of Title 18, United States Code, Section 242 (Class A Misdemeanor).

20
21 COUNT THREE: (18 U.S.C. § 242 – Deprivation of Rights Under Color of Law)

22 7. Between on or about September 1, 2018, and on or about May 30, 2019, in the Northern
23 District of California, the defendant,

24 SCOTT SHAW

25 while acting under the color of law, and acting without a legitimate purpose, touched Victim Two's
26 buttocks without her consent, thereby willfully depriving Victim Two of liberty without due process of
27 law, which includes the right to bodily integrity, a right secured and protected by the Constitution and
28 laws of the United States.

1 All in violation of Title 18, United States Code, Section 242 (Class A Misdemeanor).

2
3 COUNT FOUR: (18 U.S.C. § 242 – Deprivation of Rights Under Color of Law)

4 8. Between on or about March 1, 2019, and on or about April 21, 2019, in the Northern
5 District of California, the defendant,

6 SCOTT SHAW

7 while acting under the color of law, and acting without a legitimate purpose, touched Victim Three's
8 breast without her consent, thereby willfully depriving Victim Three of liberty without due process of
9 law, which includes the right to bodily integrity, a right secured and protected by the Constitution and
10 laws of the United States.

11 All in violation of Title 18, United States Code, Section 242 (Class A Misdemeanor).

12
13 COUNT FIVE: (18 U.S.C. § 242 – Deprivation of Rights Under Color of Law)

14 9. Between on or about December 1, 2019, and on or about December 31, 2019, in the
15 Northern District of California, the defendant,

16 SCOTT SHAW

17 while acting under the color of law, and acting without a legitimate purpose, touched Victim Four's
18 breast without her consent and touched Victim Four's buttocks without her consent, thereby willfully
19 depriving Victim Four of liberty without due process of law, which includes the right to bodily integrity,
20 a right secured and protected by the Constitution and laws of the United States.

21 All in violation of Title 18, United States Code, Section 242 (Class A Misdemeanor).

22
23 COUNT SIX: (18 U.S.C. § 242 – Deprivation of Rights Under Color of Law)

24 10. Between on or about January 15, 2020, and on or about February 28, 2020, in the
25 Northern District of California, the defendant,

26 SCOTT SHAW

27 while acting under the color of law, and acting without a legitimate purpose, touched Victim Four's
28 buttocks without her consent, thereby willfully depriving Victim Four of liberty without due process of

1 law, which includes the right to bodily integrity, a right secured and protected by the Constitution and
2 laws of the United States.

3 All in violation of Title 18, United States Code, Section 242 (Class A Misdemeanor).
4

5 DATED: March 10, 2022

STEPHANIE M. HINDS
United States Attorney

7 s/ Michael G. Pitman
8 MICHAEL G. PITMAN
Assistant United States Attorney

10 KRISTEN CLARKE
Assistant Attorney General

12 s/ Fara Gold
13 FARA GOLD
Special Litigation Counsel
14 Criminal Section, Civil Rights Division

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☒ INFORMATION ☐ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

COUNTS ONE - SIX: 18 U.S.C. § 242 – Deprivation of Rights Under Color of Law

- ☐
- Petty
-
- ☐
- Minor
-
- ☒
- Misdemeanor
-
- ☐
- Felony

 PENALTY: For Each Count:
 Max Penalties: 1 year imprisonment, \$100,000 fine, 1 year of supervised release, \$25 special assessment fee

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

DEFENDANT - U.S.

SCOTT SHAW

DISTRICT COURT NUMBER

CR 22-00105-MAG**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

FBI

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

 Name and Office of Person
 Furnishing Information on this form STEPHANIE M. HINDS
☒ U.S. Attorney ☐ Other U.S. Agency

 Name of Assistant U.S.
 Attorney (if assigned) MICHAEL G. PITMAN
DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1)
- ☒
- If not detained give date any prior summons was served on above charges
-
-
- 2)
- ☐
- Is a Fugitive
-
- 3)
- ☐
- Is on Bail or Release from (show District)
-

IS IN CUSTODY

- 4)
- ☐
- On this charge
-
- 5)
- ☐
- On another conviction }
- ☐
- Federal
- ☐
- State
-
- 6)
- ☐
- Awaiting trial on other charges
-
- If answer to (6) is "Yes", show name of institution
-

 Has detainer ☐ Yes
 been filed? ☐ No

 If "Yes"
 give date
 filed
DATE OF ARRESTMonth/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODYMonth/Day/Year
☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☒ SUMMONS ☐ NO PROCESS* ☐ WARRANT
Bail Amount:

If Summons, complete following:

☒ Arraignment ☒ Initial Appearance
Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

 Date/Time: 3/15/22 at 2:00pm Before Judge: Susan Van Keulen
Comments: